

Message

From: Hicks, Matt [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=EAA50F546C9B440A98C82F4E9BD5BD69-HICKS, MATTHEW]
Sent: 7/6/2020 8:35:13 PM
To: Kupchan, Simma [Kupchan.Simma@epa.gov]
Subject: FW: FL Assumption NOC

From: Palmer, Leif <Palmer.Leif@epa.gov>
Sent: Thursday, July 2, 2020 3:56 PM
To: Hicks, Matt <Hicks.Matthew@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>
Cc: Nagrani, Kavita <Nagrani.Kavita@epa.gov>
Subject: RE: FL Assumption NOC

Apparently neither Mary or David have spoken to John Truett on the NOC. (Obviously, we did not, and were not, planning to comment on the NOC).

Have Simma, Matt, Kavita, etc., thought of any other ideas? (David was asking below).

Have Simma, Matt, Kavita, etc., spoken to FDEP staff attorneys about the NOC since last Friday?

From: Hicks, Matt <Hicks.Matthew@epa.gov>
Sent: Friday, June 26, 2020 5:48 PM
To: Palmer, Leif <Palmer.Leif@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>
Cc: Nagrani, Kavita <Nagrani.Kavita@epa.gov>
Subject: FW: FL Assumption NOC

FYI...

From: Kupchan, Simma <Kupchan.Simma@epa.gov>
Sent: Friday, June 26, 2020 5:46 PM
To: Hicks, Matt <Hicks.Matthew@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; McGill, Thomas <McGill.Thomas@epa.gov>; Hurlid, Kathy <Hurlid.Kathy@epa.gov>; Laycock, Kelly <Laycock.Kelly@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>
Subject: Fwd: FL Assumption NOC

Simma

Begin forwarded message:

From: "Fotouhi, David" <Fotouhi.David@epa.gov>
Date: June 26, 2020 at 5:35:18 PM EDT
To: "Kupchan, Simma" <Kupchan.Simma@epa.gov>
Cc: "Neugeboren, Steven" <Neugeboren.Steven@epa.gov>, "Wehling, Carrie" <Wehling.Carrie@epa.gov>
Subject: RE: FL Assumption NOC

Ex. 5 Deliberative Process (DP)

David Fotouhi

Principal Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

From: Kupchan, Simma <Kupchan.Simma@epa.gov>
Sent: Friday, June 26, 2020 2:40 PM
To: Fotouhi, David <Fotouhi.David@epa.gov>
Cc: Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>
Subject: Re: FL Assumption NOC

Terrific; thanks!

Simma

On Jun 26, 2020, at 2:39 PM, Fotouhi, David <Fotouhi.David@epa.gov> wrote:

I'm scheduled to speak with Dave and Mary later this PM; will report back. Thanks!

David Fotouhi

Principal Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

From: Kupchan, Simma <Kupchan.Simma@epa.gov>
Sent: Friday, June 26, 2020 2:39 PM
To: Fotouhi, David <Fotouhi.David@epa.gov>
Cc: Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>
Subject: Re: FL Assumption NOC

Hi David,

I apologize for bothering you, given how much is on your plate. I wanted to check to see if you had had a chance to discuss our concerns with Florida's rule change with Dave or Mary Walker. R4 does not want to move forward without hearing from HQ.

Thanks very much for your help with this matter.

Simma

On Jun 25, 2020, at 8:46 AM, Fotouhi, David
<Fotouhi.David@epa.gov> wrote:

Thanks, Simma. Yes, let's discuss. My initial reaction

Ex. 5 AC/DP

Ex. 5 AC/DP

David Fotouhi

Principal Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

From: Kupchan, Simma <Kupchan.Simma@epa.gov>

Sent: Wednesday, June 24, 2020 5:57 PM

To: Fotouhi, David <Fotouhi.David@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>

Subject: RE: FL Assumption NOC

Thanks, David. Carrie and I have discussed this issue with Region 4, and I have discussed separately with OW staff, and of the list of issues Mary forwarded of proposed changes to Florida's rules, we think

Ex. 5 AC/DP

Ex. 5 AC/DP

Ex. 5 AC/DP

Ex. 5 AC/DP

Thanks for your attention.

Simma Kupchan
EPA Office of General Counsel
Water Law Office
WJC North Building # 7426Q
202-564-3105

From: Fotouhi, David <Fotouhi.David@epa.gov>
Sent: Wednesday, June 24, 2020 3:36 PM
To: Neugeboren, Steven <Neugeboren.Steven@epa.gov>;
Wehling, Carrie <Wehling.Carrie@epa.gov>; Kupchan, Simma
<Kupchan.Simma@epa.gov>
Subject: FW: FL Assumption NOC

Please see below

David Fotouhi

Principal Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

From: Walker, Mary <walker.mary@epa.gov>
Sent: Wednesday, June 24, 2020 3:00 PM
To: Fotouhi, David <Fotouhi.David@epa.gov>; Ross, David P
<ross.davidp@epa.gov>
Cc: Palmer, Leif <Palmer.Leif@epa.gov>
Subject: FW: FL Assumption NOC

David,

Below is the language in the Notice of Change tha **Ex. 5 AC/DP**

Ex. 5 AC/DP

Thanks
Mary

From: Hicks, Matt <Hicks.Matthew@epa.gov>
Sent: Tuesday, June 23, 2020 2:12 PM
To: Walker, Mary <walker.mary@epa.gov>
Cc: Palmer, Leif <Palmer.Leif@epa.gov>; Ghosh, Mita
<Ghosh.Mita@epa.gov>; Gettle, Jeaneanne
<Gettle.Jeaneanne@epa.gov>; McGill, Thomas
<McGill.Thomas@epa.gov>; Nagrani, Kavita
<Nagrani.Kavita@epa.gov>; Ashbee, Blake
<ashbee.blake@epa.gov>; Allenbach, Becky
<Allenbach.Becky@epa.gov>
Subject: FW: FL Assumption NOC

Mary,

As discussed during our briefing, here's a summary of the relevant portions of the Notice of Change: **Ex. 5 Deliberative Process (DP)**

Ex. 5 Deliberative Process (DP)

Simma Kupchan (OGC) and Kathy Hurld (OWOW) had some additional thoughts on this which I'm happy to forward if it would be helpful.

Thank you,

Matt

From: Hicks, Matt

Sent: Friday, June 19, 2020 12:16 PM

To: Kupchan, Simma <Kupchan.Simma@epa.gov>; McGill, Thomas <Mcgill.Thomas@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Laycock, Kelly <laycock.kelly@epa.gov>; Hurld, Kathy <Hurld.Kathy@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>

Subject: FL Assumption NOC

Team,

Ex. 5 AC/DP

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